

CITY OF TALLAHASSEE

CITY COMMISSION AGENDA ITEM**RECEIVED**
FEB 06 2004Growth and Environmental Management
Development Review

ACTION REQUESTED ON:	February 11, 2004
SUBJECT/TITLE:	Introduction of Ordinance # 04-O-20 Leon County School District/Cabinets from Parker (Southern Triangle) Voluntary Annexation
TARGET ISSUE:	

STATEMENT OF ISSUE

Two voluntary annexation petitions have been received for the annexation of two parcels in the Southern Triangle. The Leon County School District has petitioned the City for annexation of approximately 22 acres of property located on Shelfer Road, the site of Oak Ridge Elementary School. The property is fully developed. A second parcel, comprised of approximately 1.2 acres fronting on Ross Road and adjacent to the western boundary of the school parcel, has also petitioned for annexation. A business, Cabinets from Parker, is located on the second parcel.

The City Attorney has determined that this annexation fully qualifies under the statutory requirements of Chapter 171, Florida Statutes.

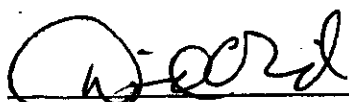
A copy of the proposed annexation was provided to Leon County Board of Commissioners at the time that it was distributed to the City Commission.

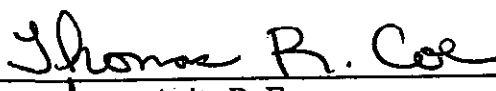
RECOMMENDED ACTION

Option 1 – Introduce Voluntary Annexation Ordinance # 04-O-20 Leon County School District/Cabinets from Parker (Southern Triangle) and set public hearing date of February 25, 2004.

Fiscal Impact

In fiscal year 2003, the parcel on which the business is located, had a taxable value of \$151,315. If the property had been in the City in 2003, property taxes in the amount of \$559.87 would have been generated. The Leon County School District property is exempt from ad valorem taxes.


Dinah Hart
Office of the Mayor


Anita R. Favors
City Manager

ITEM TITLE: Introduction of Ordinance #04-O-20 Leon County School District/Cabinets from Parker (Southern Triangle) Voluntary Annexation

SUPPLEMENTAL MATERIAL/ISSUE ANALYSIS

History/Facts & Issues

The proposed annexation area consists of approximately 23.4 acres of property within the urban services area. The Leon County School District property (parcel #4124208520000), Oak Ridge Elementary School, fronts on Shelfer Road but also has access to Ross Road. Cabinets from Parker (parcel #4124204460000) fronts on Ross Road. Both parcels are in the MR-1 current land use category. Approval of the annexation would support the Annexation Goals as identified in the Comprehensive Plan.

STATEMENT OF URBAN SERVICES

I. Introduction

The purpose of this statement is to provide information on the land use compatibility and level of urban services that will be provided to the properties proposed for annexation.

II. Land Use

Staff has reviewed the proposed annexation of two properties in the Southern Triangle. One parcel (ID# 4124208520000), owned by the Leon County School District (Oak Ridge School), consists of approximately 2.2 acres and has access to both Shelfer and Ross Roads. The second parcel (ID# 4124204460000), Cabinets from Parker, consists of approximately 1.2 acres fronting on Ross Road. Staff finds the proposal consistent with the Comprehensive Plan, subject to the following provisions of Intergovernmental Element Policy 2.1.4 being adequately met:

- The annexation is in accordance with the requirements of Chapter 172, Florida Statutes as set forth in Policy 2.1.4[I].
- The plan for annexation shall be provided by the City Manager to the County Administrator and the Board of County Commissioners at the time it is provided to the City Commission. All procedures for review and comment on the annexation as set forth in Policy 2.1.4[I] shall be followed.
- The City shall provide information as to how it will provide full urban services to the area to be annexed pursuant to Policy 2.1.1[I].
- A description of how land use compatibility will be ensured, pursuant to Policy 2.1.4(a)[I].
- A description of how facilities will be provided and by which entity, pursuant to Policy 2.1.4(b)[I].
- A description of how the level of service standards will be maintained consistent with the Comprehensive Plan, pursuant to Policy 2.1.4 (c)[I].
- The amount of any agreed upon water and/or sewer rebate that will be due to the petitioner, pursuant to Policy 2.1.4(d)[I].

The following is provided as additional information related to this site:

- The Leon County School District Parcel, ID# **4124208520000**, is in the Educational Facilities land use category on the Future Land Use Map. The other parcel, ID# **4124204460000**, is in the Mixed Use B category.
- The Site Specific Zoning on both properties is MR-1, Medium Density Residential, which permits the following general land uses: single family dwellings; townhouses; multi-family units at a density of between 6 and 16 units per acre; daycare centers; nursing homes; community facilities (which includes educational facilities); golf courses; and passive and active recreational facilities. Commercial uses other than those listed above are not permitted, therefore, Cabinets by Parker is a nonconforming use now under County MR-1, and would continue to be a nonconforming use under City MR-1 when annexed. The use may continue and if it is discontinued for a period of less than 12 months it could resume without review by the city. As a nonconforming use, however, the existing structures cannot be enlarged. In order to make an addition to the existing structures, the owner would have to rezone to another site specific zoning district, such as M-1 Light Industrial. Such a change in zoning district would not require an amendment to the future land use map designation of Mixed Use B.
- When the smaller parcel becomes City MR-1 via annexation, there will be an additional allowable land use, Boarding Houses. A rezoning is unnecessary because the new district designation would not be more restrictive.

Status of Permits

Not applicable

III. Urban Services

The level of urban services that may be provided to the area proposed for annexation will be consistent with the level provided to areas within the City.

- Fire Protection Service – The City provides fire protection on an area wide basis. In the corporate limits, the fire department responds to alarms within an average of four (4) minutes. Fire Station #3 at 3005 South Monroe Street can provide fire and emergency service to this area.
- Police Protection Service – Tallahassee maintains a comprehensive law enforcement program. The full range of these services will be provided to the area upon annexation.
- Growth Management – Staff has indicated that concurrency tables show that both Capital Circle and Crawfordville Highway are deficient in this area, but since the properties are fully developed, no impact is anticipated unless further development were to occur. Staff also noted that the cabinet shop is currently a non-conforming use under MR-1. As a non-conforming use, the business would not be able to expand or be rebuilt if the building were to be destroyed.
- Street Maintenance and Right of Way Service – According to Marvin's field report. Shelfer Road is in reasonably good condition. The pavement should only require resurfacing on the normal cycle prescribed by Streets & Drainage Divisions' pavement management program. Since it is an

open-ditch road, it will also require mowing, unless the adjacent homeowners do that part. No design improvements to the roadway are needed at this time.

- E. Traffic Planning and Control – The Traffic Engineering Division has reviewed the proposed annexation. Shelfer Road is owned and maintained by Leon County. This annexation may change the ownership and maintenance responsibilities of Shelfer Road to the City. The increased maintenance cost from Traffic Engineering if Shelfer Road becomes a City maintained roadway would be approximately \$2,500.00 per year (this includes signs, pavement markings, and school flashers).
- F. Street Lighting – Tallahassee has a comprehensive program for the installation and maintenance of streetlights. The Electric Utility has advised that due to the presence of some streetlights, minimum accommodations will need to be made at a cost of approximately \$300.
- G. Parks and Recreation Services – The City provides a comprehensive Parks and Recreation program and system of parks for its citizens. The closest park is the 54-acre Jack McLean Park on Paul Russell Road. The park currently has picnic facilities, trails, lighted basketball and tennis courts, sand volleyball courts, playground and an open play field. Construction on a 20,000 square foot recreation center and adjacent swimming pool complex has begun and should be completed by early fall of 2004. We also have Campbell Pond Park, Jake Gaither Golf Course, Jake Gaither Recreation Center, Walker Ford Community Center, and Springsax Baseball and Softball fields. Given this information, staff believes that there is a sufficient inventory of parks and capacity in recreation programs to accommodate this area.
- H. Bus Service – The City owns and operates a public transit system. Annually, a system-wide analysis is performed to evaluate bus service within all areas of the corporate limits. Taltran bus service is already provided to these parcels via Route 2, as the service in this area was “grandfathered in” at the time the City purchased the bus system in 1973. Additionally, the Dial-a-Ride program, a specialized transportation service for citizens who are disabled will be extended to this area upon annexation. The Dial-a-Ride program is also available to citizens over the age of 60 on a space available basis.
- I. Electric Service – The City currently provides electric service to this area. Extension of electric service to new customers in the area will be in accordance with established policy and other utility agreements.
- J. Water and Sewer Service – Water and sewer service already exist in this area and therefore there is no economic impact to the City.
- K. Gas Service – The City generally provides natural gas to a site when requested and after a feasibility analysis. At this time, gas service is not available in this area.
- L. Stormwater Service – Stormwater services to the area will be provided at the same level as currently provided to areas within the City.

- M. Solid Waste Service – Commercial garbage service at these locations will continue to be provided by Waste Management until their current contract with the County terminates in April 2007. At that time, City Solid Waste will commence commercial refuse service at both locations.

Options

Option 1 – Introduce Voluntary Annexation Ordinance # 04-O-20 Leon County School District/Cabinets from Parker (Southern Triangle) and set public hearing date of February 25, 2004.

Option 2 – Set another date for public hearing.

Option 3 – Do not proceed with the proposed voluntary annexation.

Recommendation

Option 1 – Introduce Voluntary Annexation Ordinance # 04-O-20 Leon County School District/Cabinets from Parker (Southern Triangle) and set public hearing date of February 25, 2004.

ATTACHMENTS/REFERENCES

- Attachment 1 - Proposed Ordinance #04-O-20
- Attachment 2 - Location Map
- Attachment 3 – Voluntary Annexation Petitions

ORDINANCE NO. 04-O-20

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA, AMENDING CHAPTER SIX OF THE CHARTER OF THE CITY OF TALLAHASSEE, TO ANNEX WITHIN THE CORPORATE AREA OF THE CITY OF TALLAHASSEE, FLORIDA, UPON ADOPTION OF SAID ORDINANCE, PROPERTY BEING SITUATED IN LEON COUNTY, FLORIDA, IN ACCORDANCE WITH THE VOLUNTARY ANNEXATION PROVISIONS OF SECTION 171.044, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, there has been filed with the City of Tallahassee, Florida, a petition containing the names and signatures of all of the property owners in the area described hereinafter requesting annexation into the corporate area of the City of Tallahassee, Florida; and,

WHEREAS, it has been determined that the property described hereinafter is reasonably compact and contiguous to the corporate area of the City of Tallahassee, Florida, and it has further been determined that the annexation of said property will not result in the creation of any pocket or enclave; and,

FURTHER WHEREAS, the City of Tallahassee, Florida, is in a position to provide municipal services to the property described herein, and that the City Commission of the City of Tallahassee, Florida, deems it in the best interest of the City to accept said petition and to annex said property.

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF TALLAHASSEE, FLORIDA:

Section 1. That the property described below, situated in Leon County, Florida, be and the same is hereby annexed to and made a part of the City of Tallahassee, Florida, pursuant to the voluntary annexation provisions of Section 171.044, Florida Statutes, to wit:

LEON COUNTY SCHOOLS / ROSS ROAD PROPERTIES

COMMENCE at the intersection of the south boundary of Section 18, Township 1 South, Range 1 East with the westerly right-of-way boundary of the Seaboard Coastline Railroad (now the State of Florida Bicycle Path right-of-way); thence South 20 degrees 50 minutes 28 seconds East, along said westerly right-of-way boundary, a distance of 416.12 feet to the most easterly corner of that parcel described in Official Record Book 536, Page 408 (Tax I.D. 31-19-20-205) of the Public Records of Leon County, Florida; thence South 88 degrees 55 minutes 00 seconds West, along the southerly boundary of said parcel last referenced, a distance of 184.21 feet; thence North 00 degrees 02 minutes 00 seconds East, a distance of 20.50 feet to the southeast corner of that parcel described in Deed Book 72, Page 46 (Tax I.D. 41-24-20-004) of said Public Records; thence South 88 degrees 55 minutes 00 seconds West, along the south boundary of said parcel last referenced, a distance of 440 feet more or less, to an intersection with the east boundary of that parcel described in Official Record Book 246, Page 590 (Tax I.D. 41-24-20-902) of said Public Records; thence, along the east and south boundaries of said parcel as follows: South 00 degrees 02 minutes 00 seconds West, a distance of 1,006.28 feet to the southeast corner of said parcel last referenced; thence West, a distance of 220.00 feet to the northwest corner of that parcel described in Official Record Book 1151, Page 1516 (Tax I.D. 41-24-20-018) of said Public Records, also being the northeast corner of that parcel described in Official Record Book 2272, Page 1621 (Tax I.D. 41-24-20-006) of said Public Records, thence, along the west boundary of that parcel described in said Official Record Book 1151, Page 1516 (Tax I.D. 41-24-20-018), South 00 degrees 02 minutes 44 seconds West, a distance of 660 feet; thence West, a distance of 234 feet; thence South, a distance of 660 feet to an intersection with the northerly boundary of that parcel described as Parcel 2 in Official Record Book 2272, Page 1619 (Tax I.D. 41-24-20-026); thence, along the northerly boundary of said parcel last referenced, East, a distance of 61 feet, more or less, to the northwest corner of that parcel described in Official Record Book 1328, Page 2368 (Tax I.D. 41-24-20-052) of said Public Records; thence South, along the westerly boundary of said parcel last referenced, a distance of 569.18 feet to the southwest corner of said parcel last referenced, lying on the northerly right-of-way boundary of Ross Road; thence West, along said northerly right-of-way boundary, a distance of 235.59 feet to the southeast corner of that parcel described in Official Record Book 1120, Page 230 (Tax I.D. 41-24-20-001) of said Public Records; thence, along the easterly boundary of said parcel last referenced, North 00 degrees 14 minutes 24 seconds East 569.88 feet

to the northeast corner of said parcel last referenced; thence, along the northerly boundary of said parcel last referenced, North 89 degrees 45 minutes 36 seconds West, a distance of 251.62 feet to the northwest corner of said parcel last described and the southwest corner of that parcel described in Official Record Book 2272, Page 1619 (Tax I.D 41-24-20-006), said corners being on the east boundary of that parcel described on Official Record Book 939, Page 1415 (Tax I.D 41-24-20-007) of said Public Records; thence South 00 degrees 14 minutes 24 seconds West, along the east boundary of said parcel last referenced, a distance of 371.33 feet to the southeast corner of said parcel last referenced; thence North 89 degrees 57 minutes 30 seconds West, a distance of 296.34 feet to the southwest corner thereof, lying on the east right-of-way boundary of Shelfer Road; thence North 00 degrees 27 minutes East, along said easterly right-of-way boundary, a distance of 42.2 feet, more or less, to the **POINT OF BEGINNING**. From said **POINT OF BEGINNING** thence, crossing said Shelfer Road, West, a distance of 80 feet, more or less to an intersection with the westerly right-of-way boundary of said Shelfer Road at the southeast corner of that parcel described in Official Record Book 325, Page 576 (Tax I.D 41-24-20-852) of said Public Records; thence West, a distance of 670 feet, more or less, to the northwest corner of that parcel described in Official Record Book 320, Page 458 (Tax I.D 41-24-20-438) of said Public Records; thence South, along the west boundary line of said parcel last referenced, a distance of 237 feet, more or less, to an intersection with the northerly right-of-way boundary of Ross Road; thence West, along said northerly right-of-way boundary, a distance of 280.00 feet, more or less, to the southwest corner of that parcel described in Official Record Book 1837, Page 1198 (Tax I.D 41-24-20-446) of said Public Records, said corner being on the westerly boundary of the southeast quarter of Section 24, Township 1 South, Range 1 West; thence North, along the westerly boundary last referenced and the west boundary of that parcel described in Official Record Book 325, Page 576 (Tax I.D 41-24-20-852) of said Public Records, a distance of 1238.9 feet , more or less, to the northwest corner of said parcel last referenced; thence East, along the north boundary of said parcel last referenced, a distance of 949.7 feet, more or less, to an intersection with the westerly right-of-way boundary of said Shelfer Road; thence, crossing said Shelfer Road, East, a distance of 80 feet more or less, to the easterly right-of-way boundary of said Shelfer Road; thence South, along said easterly right-of-way boundary, a distance of 1001.67 feet to the **POINT OF BEGINNING**; Containing 25.245 acres, more or less and lying in Section 24, Township 1 South, Range 1 West, Leon County, Florida.

Section 2. That upon this ordinance becoming effective, the property owners and any resident on the property described herein shall be entitled to all the rights and privileges and immunities as are from time to time granted to residents and property owners of the City of Tallahassee, Florida, as further provided in Chapter 171, Florida Statutes, and shall further be subject to the responsibilities of residence or ownership as may from time to time be determined

by the governing authority of the City of Tallahassee, Florida, and the provisions of said Chapter 171, Florida Statutes.

Section 3. If any section or portion of a section of this ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to impair the validity, force, or effect of any other section or part of this ordinance.

Section 4. That all ordinances or parts of ordinances in conflict herewith be and the same are hereby revoked.

Section 5. That this ordinance shall become effective immediately upon its passage and adoption.

INTRODUCED in the City Commission on the 11 th day of February, 2004

PASSED the City Commission on the _____ day of _____, 2004

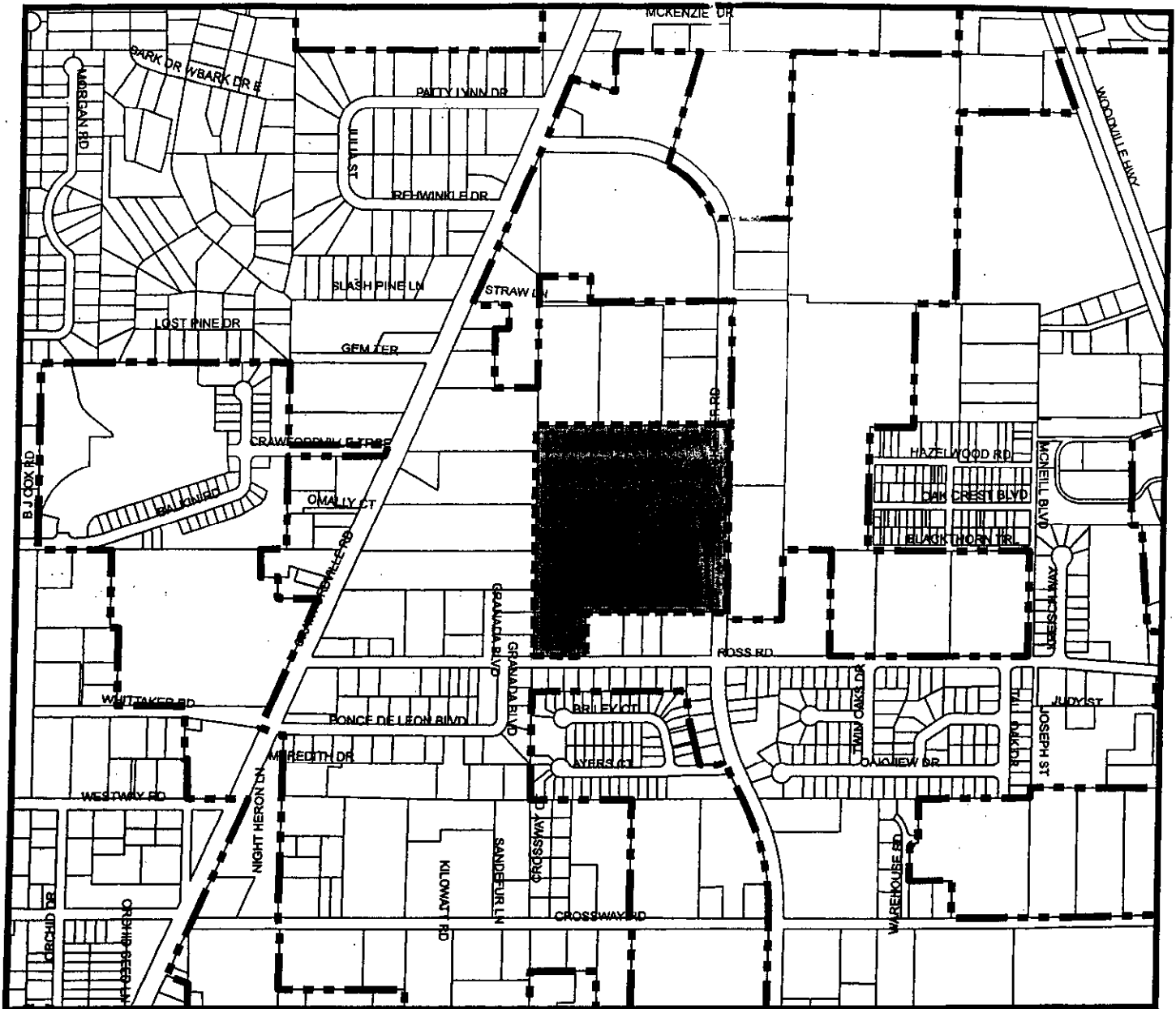
JOHN R. MARKS III, Mayor

ATTEST:

GARY HERNDON
City Treasurer-Clerk

APPROVED AS TO FORM:

JAMES R. ENGLISH
City Attorney



DWG NO. OMB00128.AI

LEON COUNTY SCHOOLS/ROSS ROAD PROPERTIES PROPOSED ANNEXATION

LEGEND



CURRENT CITY LIMITS

PROPOSED CITY LIMITS

ATTACHMENT 3



CITY OF TALLAHASSEE
PETITION FOR VOLUNTARY ANNEXATION

To: The City Commission of the City of Tallahassee

From: Leon County School Board

Date: February 26, 2002

Re: Parcel I.D. # 3118208520000 and 4124208520000

The undersigned owner of the referenced properties, located on
Shelfer Road and Zillah Street
legally described on the attached Exhibit A, and shown on the sketch attached as Exhibit
B, hereby request(s) the annexation of said property by the City of Tallahassee in
accordance with Chapter 171, Florida Statutes, which authorizes the petitioning for
voluntary annexation. Exhibits A and B are hereby incorporated by reference and made a
part hereof.

The undersigned certify that he/she/they is/are the owners of the property
described in the attached exhibits, and that all owners of the property have signed this
petition. This petition and request shall be binding upon the owner(s), all successor
owners of the subject property, including the heirs, assigns, and devisees of the
undersigned; and shall run with the land to any purchasers of the subject property.

PETITIONER

Signature: Maggie B. Lewis
Print name: Maggie B. Lewis
Address: 2757 W. Pensacola
Tallahassee FL 32304
Telephone: 850-487-7110
Date: 2/26/02

Contact Person:

PETITION FOR VOLUNTARY ANNEXATION

TO: Tallahassee City Commission

The undersigned owner(s) of the property noted and described on the attached map, does hereby request the annexation of said property by the City of Tallahassee in accordance with Chapter 171, Florida Statutes, which authorizes the petitioning for voluntary annexation. This petition and request shall be binding upon all successor owners of the subject property, including the heirs, assigns, and devisees of the undersigned and shall run with the land to any purchasers of the subject property.

OWNER (S) OF PROPERTY	PROPERTY ADDRESS:	PARCEL ID NO.	ACREAGE
CABINETS FROM PARKER, LAIC.	216 7TH ROSS ROAD CONTACT ADDRESS: 216 ROSS ROAD TALLAHASSEE, FL 32310	4124204- 460000	

Tom Mason
WITNESS

Betty Parker-Mason
SIGNATURE

9/30/00
DATE

Jack C. Wolff
WITNESS

WITNESS

SIGNATURE

DATE

942-1452

WITNESS

PHONE